



MINUTES OF THE OPEN SESSION
MEETING OF THE BOARD OF GOVERNORS

Held on Wednesday, November 20, 2002, immediately following the Closed Session,
in Room AD-307, Loyola Campus

Attendance

Present: Mrs. Lillian Vineberg, *Chairwoman*, Dr. Steven Appelbaum, Dr. Louise Brunette, Me Gerald C. Burke, Dr. William Byers, Mr. Charles G. Cavell, Dr. June Chaikelson, Mr. Baljit Singh Chadha, Mr. Youri Cormier, Mr. Chae Dickie-Clark, Mr. Brian Edwards, Me Pierre Frégeau, *Observer*, Ms. Sabine Friesinger, Ms. Christine Lengvari, Dr. Loren Lerner, Dr. Frederick Lowy, *Rector and Vice-Chancellor*, Mr. Rocci Luppicini, Mr. Peter G. McAuslan, Sister Eileen McIlwaine Ph.D., Mr. Desmond O'Neill, Mr. Alex G. Potter, Mr. Richard Renaud, Mrs. Mackie Vadacchino de Massy, Mr. Ivan Velan

Officers of the University: Prof. Marcel Danis, Mr. Michael Di Grappa, Mr. Larry English, Dr. Jack Lightstone

Absent: Mr. Alain Benedetti, Mr. Normand Beauchamp, Mr. Alexander Carpini, Mr. Howard Davidson, Me Rita de Santis, Dr. Terrill Fancott, Mr. Leo Goldfarb, Ms. Suzanne Gouin, Mr. George Hanna, Mrs. Judith Kavanagh, Mr. Peter Kruyt, Mr. Eric Molson, *Chancellor*, Mr. John Parisella, *Vice-Chairman*, Mrs. Miriam Roland, Mr. Jacques St-Laurent, Ms. Sobia Virk, Mr. Jonathan Wener

Also present: Me Bram Freedman (Assistant Secretary General and General Counsel), Mr. Garry Milton (Executive Director, Rector's Cabinet)

Governors Emeriti: Dr. Leonard Ellen, Dr. Henry Habib, Mr. Ronald E. Lawless, Mr. Claude Taylor

Documents associated with the Minutes

BG-2002-7-D6	Update regarding the long-term financing of the downtown building projects
BG-2002-8-D3	Memo from the Dean of Students regarding fees passed at the student referendum
BG-2002-10-D2	2002-2003 fee schedule for undergraduate programs
BG-2002-10-D3	Memo from the Editor-in-Chief and the Director of Operations of The Concordian

BG-2002-10-D4	Memo from the Board of Directors of The Concordian
BG-2002-10-D5	Information document regarding the Concordia Student Broadcasting Corporation
BG-2002-10-D6	Information regarding the fee increase to the GSA Health and Dental Plan
BG-2002-10-D7	Memo from the Dean of Students regarding tabling in the Hall Building lobby
BG-2002-10-D8	Rector's report
BG-2002-10-D9	Motion approved at the Fine Arts Faculty Council

1. Call to Order

The Open Session was called to order at 7:15 p.m.

1.1 Chairwoman's remarks

Mrs. Vineberg apprised the assembly that in the Closed Session meeting, the Board of Governors had passed a motion, proposed by Dr. Lowy, to lift the Cooling-Off Period, as follows:

WHEREAS the "Cooling-off Period" approved by the Board of Governors on September 18, 2002 has resulted in an appreciable calming of the campus atmosphere, and whereas the continuation of the attendant restrictions could lead to misunderstanding of the University's objectives;

BE IT RESOLVED THAT the Board of Governors authorizes the Rector to lift the "Cooling-Off Period" including restrictions on public meetings, demonstrations and information tables dealing with the Israeli-Palestinian conflict, it being understood that the principles to which CSU, Hillel and SPHR have agreed will be respected and enforced.

During the discussion, Governors reaffirmed a zero tolerance policy of any form of hate, harassment, discrimination, violence or incitement to any of the aforementioned acts.

The Chairwoman then reported on the Fall Graduation ceremony of November 15, during which two honorary doctorate degrees were awarded, and of the John Molson School of Business Awards of Distinction ceremony of last evening, at which time awards were bestowed to four individuals from the business community.

Mrs. Vineberg closed her remarks by congratulating Dr. Steven Appelbaum for his appointment as Concordia University Research Chair in organizational development in the John Molson School of Business. This is a senior level appointment from June 1, 2002 to May 31, 2007. The principle objective of this chair is to assist the John Molson School of Business in achieving the research component of its academic plan.

1.2 Approval of the Agenda

Upon motion duly moved and seconded (Chadha, O'Neill), it was unanimously RESOLVED:

R2002-103 *THAT the Agenda be approved as submitted.*

1.3 Approval of the Minutes of the Open Session of the previous meeting (October 16, 2002)

Upon motion duly moved and seconded (Edwards, Lowy), it was unanimously RESOLVED:

R2002-104 *THAT the Minutes of the Open Session of the previous regular meeting of the Board, held October 16, 2002, be approved as submitted.*

2. Business arising from the Minutes not included on the Agenda

There was no business arising from the Minutes.

3. Occupation permit from the City of Montreal

Upon motion duly moved and seconded (Lowy, Renaud), it was unanimously RESOLVED:

R2002-105 *WHEREAS the construction plans for the new Integrated Engineering and Computer Science and Visual Arts Complex include an overhang which will be located over parts of the sidewalk fronting on 1515 Ste. Catherine Street West;*

WHEREAS an occupation permit from the City of Montreal is required to construct this overhang over public space; and

WHEREAS the City of Montreal had agreed to issue said permit to the University, provided that it fulfill certain conditions in relation thereto;

BE IT RESOLVED THAT the Board of Governors authorize Me Bram Freedman, General Counsel and Assistant Secretary-General, to sign, on behalf of the University, any document required in relation to obtaining an occupation permit for the aforementioned overhang.

4. The Concordia Newspaper fee

Ms. Friesigner introduced Ms. Diana Thibeault, Editor-in-Chief of The Concordian, to make the presentation. Ms. Thibeault informed Governors that The Concordian has been in operation since 1982 and had had the same levy since 1983. As a result, the newspaper has little purchasing power and no money for capital expenditures. It is cluttered with advertisements because over 90% of its funding comes from that source. Ms. Thibeault mentioned that a \$0.10 per credit levy was not a lot and was less than

many of the other student levies such as the People's Potato, The Link, the Women's Center, etc. Ms. Thibeault stated that the newspaper's future depends on this increase. She added that The Concordian constituted a great education tool and reminded Governors that Jamie Orchard, a well-known Montreal journalist, had worked for the newspaper while studying at Concordia.

When asked by Dr. Brunette if increasing the levy to The Concordian would deprive Concordia Français from additional funds, Ms. Thibeault replied that The Concordian is an independent newspaper not linked to any of the other campus papers nor the CSU. Dr. Lowy asked Ms. Friesinger to comment on the status of Concordia Français. The latter stated that the CSU was fully behind the proposal of Concordia Français, which is currently in the incorporation process. Students are looking to include a question regarding the levying of a fee in a referendum.

Me Fréreau, whose question at the October Board meeting had initiated the tabling of the increases until further information was obtained, underlined his great appreciation that the students had taken the time to explain to the Board where the funds are going and expressed his full support for the motion.

Given that The Concordian is an independent body, whose levy was approved by referendum, Mr. Cormier opined that it should not have to come before the Board and therefore this was not a good precedent. Mrs. Vineberg reminded Mr. Cormier that the Board of Governors has the power to authorize the collection of fees, and therefore it is incumbent upon The Concordian to have the collection of the fees authorized.

Dr. Chaikelson indicated her support for the levy, but recalled that the CSU had been asked to provide a budget summary, which it had not done. Student fees are getting higher. As a result, she would vote against any further fee increases until the CSU produces its budget.

Upon motion duly moved and seconded (Friesinger, Lowy), it was RESOLVED with four abstentions:

R2002-106 *WHEREAS, pursuant to a referendum held from October 1 to 3, 2002, undergraduate students voted in favor of increasing the existing fee for The Concordian from \$0.07 per credit to \$0.10 per credit effective as of the Winter term of 2003;*

BE IT RESOLVED:

THAT the Board of Governors authorize the University to discontinue the current fee levy of \$0.07 per credit for The Concordian; and

THAT the Board of Governors authorize the University to collect a fee of \$0.10 per credit for The Concordian from all undergraduate students, to be implemented with registration for the Winter term of 2003 (2002/4), in accordance with the University billing, refund and withdrawal policy.

5. CJLO Radio/Broadcast Media Fund fee

Ms. Friesinger invited Mr. Ryan Arditti, CJLO's General Manager, to address the Board. Mr. Arditti explained that the current media fund fee of \$0.13 per credit is split between three organizations. The proposal is to decrease the media fund fee to \$0.09 per credit and that CJLO would drop out and receive its own fee of \$0.10, resulting in a net \$0.06 per credit increase. CJLO requires its own fee to ensure its independence. It has over 160 volunteers. The fee is required so that CJLO can achieve its goal of getting on AM by next fall. Mr. Arditti stated that the radio station constitutes an excellent professional training tool for many communication and journalism students. Mr. Ralph Lee indicated that CJLO will be broadcast across Montreal and will be beneficial to Concordia. He stated that the fee would ensure long-term financial stability for CJLO.

In response to a query by Mr. McAuslan regarding CJLO broadcasting power, Mr. Arditti informed the Board of CJLO's intention to eventually get on FM. Mr. Chadha stated that Mr. Arditti had done a good sales pitch but wondered why his proposal had not been accompanied by the budget. Mr. Arditti responded that he had the CJLO budget with him but had not made copies of it.

In response to those Governors who expressed concerns about the overall amount of fees paid by Concordia students, Mr. Cormier suggested that the \$9.00 administrative fee be lower by \$0.09 to compensate for the increased fee for The Concordian and CJLO Radio.

Upon motion duly moved and seconded (Friesinger, Renaud) it was RESOLVED with two abstentions:

R2002-107 *WHEREAS pursuant to the aforementioned referendum, undergraduate students approved a separate fee to benefit the Concordia Student Broadcasting Corporation (CJLO Radio) to ensure financial independence of the radio station from the CSU, the removal of CJLO Radio from the CSU Broadcast Media Fund as well as the reduction of the existing Broadcast Media Fund fee from \$0.13 per credit to \$0.09 per credit, all effective as of the Winter term of 2003;*

BE IT RESOLVED:

THAT the Board of Governors authorize the University to collect a fee of \$0.10 per credit for Concordia Student Broadcasting Corporation (CJLO Radio) from all undergraduate students, to be implemented with registration for the Winter term of 2003 (2002/4), in accordance with the University billing, refund and withdrawal policy; and

THAT the Board of Governors authorize the University to collect a fee of \$0.09 per credit for the Broadcast Media Fund from all undergraduate students, to be implemented with registration for the Winter term of 2003 (2002/4), in accordance with the University billing, refund and withdrawal policy.

6. Fee increase to the GSA Health and Dental Plan

Mr. Luppicini affirmed the importance of health care for students, stating that poor health can gravely affect one's studies. He explained the GSA's efforts to obtain coverage for its members at the lowest possible price and why it had become necessary to readjust the premiums retroactively to 2001/2002 term.

Upon motion duly moved and seconded (Luppicini, Friesinger), it was unanimously
RESOLVED:

R2002-108 *WHEREAS further to a referendum held in April 2001 at which time all graduate students were polled in accordance with the GSA constitution, and voted in favor of giving the GSA the authority to adjust the premium, be it an increase or a decrease, by no more than 10% per year;*

WHEREAS no premium increase was implemented for the 2001/2002 academic year;

WHEREAS at the June 19, 2002 Board of Governors' meeting, under resolution no. R-2002-64, authorization was granted to the University to adjust the GSA Health and Dental Plan premium annually, be it an increase or a decrease, by no more than 10% per year, beginning with registration for the Fall term of 2002;

WHEREAS the GSA has subsequently been made aware that they will have to subsidize the Student Health and Dental Plan in the amount of \$37,000 from their operating budget to compensate for the lack of an increase in the 2001/2002 academic year; and

WHEREAS this subsidy from the operating budget would result in all GSA students paying for the Health Plan regardless of participation;

BE IT RESOLVED:

THAT the Board of Governors rescind resolution number R-2002-64; and

THAT the Board of Governors authorize the University to adjust the GSA Student Health and Dental Plan premium annually, be it an increase or a decrease, by no more than 10% per year, beginning with the 2001/2002 academic year and implemented retroactively for the Fall term of 2002 (2002/2).

7. Update regarding the long-term financing of the downtown building projects

Referring to Document BG-2002-7-D6, the Chief Financial Officer updated the Board regarding last August's bond issue.

In March 2002, the Board authorized the University to raise up to \$225 million in the capital market for the financing of the University construction projects, at a projected annual interest cost of 6.8% for a period of 40 years. In May, the University entered into a SWAP agreement with the Ministry of Finance of Quebec to lock-in the Government of Canada rate. However, between May and August interest rates went down and as a

result, the bonds were issued at an annual interest cost of 6.8% instead of 6.55%, had the University not entered into the SWAP agreement.

Pointing to page 3 of the document, Mr. English related how Concordia fared in comparison to recent issues of other Canadian universities. He added that since September McGill, McMaster and Guelph had also proceeded to public issues, at interest costs which were lower than Concordia's. Page 4 detailed the distribution of the buyers of Concordia's issue.

Upon reviewing the capital market post audit of bids spreads and financial transactions, Mr. English informed the Board that Concordia's debentures had been traded in the secondary market at a spread which had a negative variance of 4 basis points. Concordia was the only university to have experienced a negative variance, and Mr. English opined that this was a reflection of the market's view of Concordia. Dr. Lowy added that the negative valuation was most likely a direct result of the perception that Concordia is in turmoil due to the September 9 events and aftermath.

8. Tables in the lobby of the Hall Building for specific purposes

Upon motion duly moved and seconded (Lowy, McIlwaine), it was unanimously RESOLVED:

R2002-109 *WHEREAS on September 18, 2002, the Board of Governors adopted a resolution prohibiting all information and display tables from the lobby of the Hall Building;*

WHEREAS it would be advisable to allow polling booths in the lobby of the Hall Building during student elections and by-elections; and

WHEREAS it would further be advisable to allow an information or registration table for events to be held in room H-110 or the D.B. Clarke Theatre;

BE IT RESOLVED THAT, provided University's policies are observed, tabling in the lobby of the Hall Building continue to be prohibited except in the case of polling booths during student elections and by-elections and a maximum of two information tables for events held in Room H-110 or the D.B. Clarke Theatre, as set out in Document BG-2002-10-D7.

9. Report of the Rector

Referring to his written report which had been distributed at the meeting under number BG-2002-10-D8, the Rector reported that the three recent media rankings of universities are methodologically flawed and that none of the universities are satisfied with them. Dr. Lowy commented on the rankings of The Globe and Mail, the National Post and Maclean's. Because of its relative funding and the constraints of its traditional mission, Concordia is disadvantaged by those rankings.

Dr. Lowy continued his report by stating that at its annual recognition ceremony, the John Molson School of Business had bestowed its awards of distinction to James Cherry, President and CEO, Aéroports de Montréal, Morton Cohen, President and CEO, Clarion Capital, Helen Kearns, President, Nasdaq Canada, and Hilary Radley, designer. The event was well attended by the business community.

Last Friday's convocation was the largest fall convocation in Concordia's history, with over 1300 graduates. Honorary doctorates were granted to Gregory Baum, theologian, and Francesco Bellini, an alumnus of the University, founder and former CEO of a major pharmaceutical company.

Mr. Cormier commented that there was no mention of the injunction in Dr. Lowy's report. The Rector responded that as an officer of the University, he was under the obligation to uphold and support decisions of the Board. Until today, the Cooling-Off Period, including restrictions on public events relating to the Middle-East dispute, had been in place. MPs Robinson and Davies and Ms. Rebick came purposely to defy the University's decision. Therefore, the University had no other choice than to take the legal means necessary to uphold the Board's decision.

Mr. Cormier spoke of a quasi press conference held by B'Nai Brith in the lobby of the Hall Building. He specified that they were not stopped by security and that Donald Boisvert, the Dean of Students, was aware of this event and did not intervene. Dr. Lowy replied that he was unaware of this event. However, if the press conference did deal with the Middle-East conflict, then indeed it would have been in breach of the Cooling-Off Period. Mr. Di Grappa, while not being aware of the specific incident, informed the Board of the decision which had been made whereby the Dean of Students and the Director of Security were instructed to note any violation of any group, and that appropriate action would be taken at a later date.

10. Reports of the Vice-Rectors

10.1 Provost – Dr. Jack Lightstone

Pursuant to a simulation done regarding the number of FTEs for the current academic year, Dr. Lightstone was pleased to report the prediction that they would be up from last year's 20,500 to 22,000 this year. Once again, Concordia will have the highest enrolment increase among Quebec universities.

The Provost apprised Governors that the recalculated allocation of the Canada Research Chairs had been completed. He explained that the allocation comes from a closed pool of a fixed number of Chairs, and that the calculation is done de novo each year based on a three-year rolling average. Last year, Concordia's number of Chairs remained the same while other universities decreased. This year Concordia's allocation of Chairs was increased from 21 to 22. This is a remarkable achievement, considering that Concordia was competing with 75 other institutions.

10.2 Vice-Rector Services – Mr. Michael Di Grappa

Mr. Di Grappa was pleased to announce that Concordia University has contracted the services of Bell Canada which, through Cisco Systems will provide a Voice over IP technology to the entire University. The project will cost approximately \$5 million and be funded through existing telephony costs. Mr. Di Grappa disclosed the many benefits of such an implementation, namely the enhancement of communication services to the expanding community at large, the meeting of the needs of the new building projects and the increased network capacity between both campuses. In addition, there will be a host of new telephony services and applications available. An annual operating line savings of between \$800,000 to \$1 million is expected within five years of implementation.

10.3 Vice-Rector, Institutional Relations and Secretary-General – Prof. Marcel Danis

Prof. Danis reported that the University had been served a lawsuit on behalf of Tom Keefer, in which Dr. Lowy was personally named, seeking damages of \$75,000 in connection with the 2001 summer incident and his subsequent re-instatement by the Appeals Committee of the Board. Prof. Danis indicated that the University will vigorously contest the lawsuit.

10.4 Chief Financial Officer – Larry English

Mr. English apprised the Board that the University is in a good financial situation. He added that he had received the final budget for the year ending May 31 only a couple of days ago. He has yet to receive the budget for the current year. Therefore, the University is operating under the status quo, on a conservative approach.

11. Correspondence

A motion from the Fine Arts Faculty Council for the attention of the Board of Governors was included in the mailing for information.

12. Any other business

There was no other business to come before the Board.

13. Next meeting

Mrs. Vineberg announced that the next meeting of the Board of Governors will be held on Wednesday, December 11, 2002, at 8 a.m., on the downtown campus.

14. Adjournment

The meeting was adjourned at 8:30 p.m.

A handwritten signature in cursive script, reading "Danielle Tessier".

Danielle Tessier
Secretary of the Board of Governors